

Message Text

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7?: REVISION OF BURUNDI TARIFF SCHEDULE

REF: (A) BUJUMBURA 1007, (B) GENEVA 6434

1. BURUNDI ACCEDED TO THE GATT ON 13 MARCH 1965 UNDER THE PROVISIONS OF GATT ARTICLE XXVI:5(C) WHICH ALLOWS A FORMER COLONY TO ACCEDE TO THE GATT UPON BECOMING INDEPENDENT IF SPONSORED BY THE FORMER COLONIAL POWER. UNDER THIS PROCEDURE, NEWLY DEPENDENT DEVELOPING COUNTRIES DO NOT NEED TO ENTER INTO NEGOTIATIONS TO ACCEDE TO THE GATT, BUT RATHER ACCEPT THE OBLIGATIONS PREVIOUSLY NEGOTIATED ON THEIR BEHALF BY THE SPONSORING NATION. IN THE CASE OF BURUNDI, TARIFF CONCESSIONS WERE NEGOTIATED ON ITS BEHALF BY BELGIUM AT GENEVA (1947), TORQUAY (1950-1951) AND GENEVA (1956). THESE CONCESSIONS FORM THE BURUNDI SCHEDULE OF CONCESSIONS (GATT SCHEDULE IV) AS CERTIFIED BY THE THIRD CERTIFICATION RELATING TO RECTIFICATIONS AND MODIFICATIONS OF SCHEDULES (GENEVA 1967). THIS IS THE OFFICIAL GATT SCHEDULE FOR BURUNDI, AND IS, IN RESPONSE TO QUESTION REF A, THE OPERATIVE SCHEDULE OF CONCESSIONS. THE CON-

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SOLIDATED SCHEDULE POUCHED BUJUMBURA IS AN UNOFFICIAL GATT CONSOLIDATION WHICH CONTAINS MORE INFORMATION AND IS EASIER TO WORK WITH THAN THE OFFICIAL SCHEDULE. (WE ARE POUCHING COPY OF OFFICIAL SCHEDULE TO BUJUMBURA.)

2. SINCE ITS ACCESSION IN 1965, BURUNDI HAS NOT PARTICIPATED ACTIVELY IN GATT. THE SECRETARIAT CONFIRMS

THAT BURUNDI HAS NEVER PARTICIPATED IN TRADE NEGOTIATIONS UNDER THE GATT, AND, ALTHOUGH LISTED AS PARTICIPATING IN THE CURRENT MTN NEGOTIATIONS, HAS NOT DONE SO. BURUNDI ALSO HAS NEVER NOTIFIED THE GATT OF ACTIONS IT HAS TAKEN WITH RESPECT TO TRADE BARRIERS, INCLUDING THE RECENT ADJUSTMENT OF TARIFF RATES. THUS, IN PRACTICE BURUNDI HAS BEEN IGNORING ITS GATT OBLIGATIONS ALTHOUGH IT HAS PAID ITS YEARLY ASSESSMENT. (BURUNDI IS IN ARREARS SINCE 1974, BUT THIS IS NOT UNUSUAL.) THE SECRETARIAT SAYS THAT SEVERAL AFRICAN MEMBERS OF THE GATT MAKE COMMERCIAL POLICY CHANGES OF A SIMILAR NATURE WITHOUT INFORMING THE GATT. THE SECRETARIAT DOES NOT, ON ITS OWN INITIATIVE, ATTEMPT TO POLICE THE GATT BY CALLING THESE STATES TO TASK, BUT WILL, IF REQUESTED BY ANOTHER MEMBER STATE, MAKE INQUIRIES AND POINT OUT TO THE ERRANT PARTY ITS OBLIGATIONS UNDER THE GATT. THUS, BURUNDI, AS REF A NOTES, PROBABLY HAS BLITHELY IGNORED ITS OBLIGATIONS FOR YEARS. WE HAVE SUGGESTED (REF B) THAT WASHINGTON, AS PART OF ITS ATTEMPT TO CONVINCE LDC'S TO GRADUALLY ACCEPT RESPONSIBILITIES UNDER THE GATT, MAY WANT TO MAKE A LOW-KEY APPROACH, EITHER DIRECTLY OR THROUGH THE INTERMEDIARY OF THE GATT SECRETARIAT.

3. THE NORMAL PROCEDURE FOR COUNTRIES CHANGING THEIR TARIFF RATES, IS TO NOTIFY THE GATT UNDER THE OPEN LIMITED OFFICIAL USE

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SEASON PROVISIONS OF ARTICLE XXVIII:5. UNDER THIS PROVISION, COUNTRIES RESERVE THE RIGHT TO MODIFY TARIFF RATES FOR A THREE-YEAR PERIOD; DURING THAT PERIOD THEY CAN ALTER THEIR TARIFF RATES AS LONG AS THEY ENTER INTO CONSULTATIONS AND NEGOTIATIONS WITH AFFECTED MEMBERS OF THE GATT, USUALLY THOSE COUNTRIES HOLDING INITIAL NEGOTIATING RIGHTS OR MAINTAINING A PRINCIPAL OR SUBSTANTIAL SUPPLIER POSITION IN THE PRODUCTS INVOLVED. THE U.S. IS CURRENTLY CONDUCTING NEGOTIATIONS WITH INDONESIA, BRAZIL, SOUTH AFRICA, SWEDEN AND AUSTRIA UNDER THE PROVISIONS OF ARTICLE XXVIII:5.

4. REPLIES TO QUESTIONS PARA 3 REF A ARE: (1) CONSOLIDATED SCHEDULE WAS COMPILED IN 1965, (2) ABBREVIATIONS IN LEFT COLUMN OF CONSOLIDATED SCHEDULE REFER TO NEGOTIATION AND DOCUMENTS IN WHICH CONCESSIONS WERE MADE; THUS G(47) IS GENEVA 1947, T IS TORQUAY 1950-51 AND PRM2 STANDS FOR SECOND PROTOCOL OF RECTIFICATIONS AND MODIFICATIONS. ARTICLE 28(57) REFERS TO NEGOTIATION WITH BELGIUM UNDER ARTICLE XXVIII COMPLETED IN 1957. COUNTRY ABBREVIATIONS IN FAR RIGHT COLUMN REFER TO COUNTRIES WITH WHICH THE CONCESSION WAS NEGOTIATED, THAT IS, THOSE COUN-

TRIES HAVING INITIAL NEGOTIATING RIGHTS. CZ REFERS TO
CZECHOSLOVAKIA. VANDEN HEUVEL

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